



P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )

G. Hergenhan )

Application No.: 10/714,555 )

Filed: November 14, 2003 )

For: POSITIONING DEVICE )

**MS MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 5, 2004. *Carol Prentiss*  
By: *Carol Prentiss*

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. §1.56, Applicant wishes to call the attention of the Examiner to the following references:

U. S. PATENT(S) :

| <u>Patent No.</u> | <u>Patentee</u> | <u>Date of Issue</u> |
|-------------------|-----------------|----------------------|
| 4,522,365         | Tabares         | Jun 11, 1985         |
| 6,095,697         | Lehman et al.   | Aug 01, 2000         |

FOREIGN PATENT DOCUMENT(S) :

| <u>Country</u> | <u>No.</u> | <u>Date of Publication</u> |
|----------------|------------|----------------------------|
| Germany        | 30 07 803  | Sep 10, 1981               |
| Germany        | 195 42 223 | Dec 05, 1996               |

The references listed above were cited by the International Examiner in the Search Report (copy enclosed) of Applicant's

counterpart international patent application no. PCT/EP02/05203 (MPEP §2001.06(a)).

Copies of the above-listed foreign references are enclosed, together with a completed form PTO-1449. English language abstracts are attached to the enclosed copies of DE 30 07 803 and DE 195 42 223.

Consideration of these references by the Examiner is respectfully requested. To date, a first Office Action on the merits has not been received in connection with this application. This Information Disclosure Statement is therefore believed to be timely filed.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

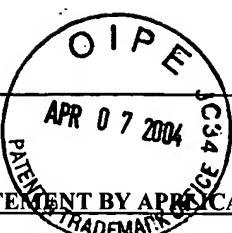


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Date: April 5, 2004

ATTORNEY DOCKET NO.: HOE-785

FORM PTO-1449



ATTY. DOCKET NO.: HOE-788

SERIAL NO.:  
10/714,522INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT(S): Barro et al.

FILING DATE: November 14, 2003

GROUP:

**U.S. PATENT DOCUMENTS**

| EXAMINER INITIAL |    | DOCUMENT NUMBER | DATE       | NAME          | CLASS | SUB-CLASS | FILING DATE |
|------------------|----|-----------------|------------|---------------|-------|-----------|-------------|
|                  | AA | 4,522,365       | 06/11/1985 | Tabares       |       |           |             |
|                  | AB | 6,095,697       | 08/01/2000 | Lehman et al. |       |           |             |
|                  |    |                 |            |               |       |           |             |
|                  |    |                 |            |               |       |           |             |
|                  |    |                 |            |               |       |           |             |
|                  |    |                 |            |               |       |           |             |

**FOREIGN PATENT DOCUMENTS**

|  |    | DOCUMENT NUMBER | DATE       | COUNTRY | CLASS | SUB-CLASS | TRANSLATION YES NO |
|--|----|-----------------|------------|---------|-------|-----------|--------------------|
|  | AC | 30 07 803       | 09/10/1981 | Germany |       |           |                    |
|  | AD | 195 42 223      | 12/05/1996 | Germany |       |           |                    |
|  |    |                 |            |         |       |           |                    |
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|  |    |                 |            |         |       |           |                    |
|  |    |                 |            |         |       |           |                    |
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**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.